

633A.4805 Powers of trust protector.

1. The powers of a trust protector are as provided in the governing instrument and may be exercised or not exercised, in the best interests of the beneficiaries as a class, in the sole and absolute discretion of the trust protector and are binding on all other persons. The powers may include the following:

a. Modify or amend the trust instrument to achieve favorable tax status or respond to changes in the Internal Revenue Code, state law, or the rulings and regulations thereunder.

b. Increase or decrease the interests of any beneficiaries to the trust.

c. Modify the terms of any power of appointment granted by the trust. However, a modification or amendment shall not grant a beneficial interest to any individual or class of individuals not specifically provided for under the trust instrument.

d. Remove and appoint a trustee, trust director, or other person designated in the governing trust instrument.

e. Terminate the trust.

f. Veto or direct trust distributions.

g. Change situs of the trust.

h. Change the governing law of the trust.

i. Appoint a successor trust protector.

j. Interpret terms of the trust instrument at the request of the trustee.

k. Advise the trustee on matters concerning a beneficiary.

l. Amend or modify the trust instrument to take advantage of laws governing restraints on alienation, distribution of trust property, or the administration of the trust.

m. Provide direction regarding notification of qualified beneficiaries pursuant to [section 633A.4213](#).

n. Add to the trust an individual beneficiary or beneficiaries from a class of individuals identified in the governing instrument.

o. Add to the trust a charitable beneficiary or beneficiaries from a class of charities identified in the trust instrument.

p. Provide other powers in the governing instrument.

2. The powers referenced in [subsection 1](#), paragraphs “e”, “f”, and “l”, may be granted notwithstanding the provisions of [sections 633A.2201 through 633A.2208](#).

[2020 Acts, ch 1076, §11](#)

Referred to in [§633A.4207](#), [633A.4807](#)